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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FUBARA, BLESSING M

ART UNIT

PAPER NUMBER

1618

MAIL DATE

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02/22/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lynn R. Hunsberger on 1/11/2010.

The application has been amended as follows:

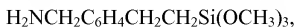
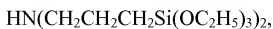
Amendment to the specification:

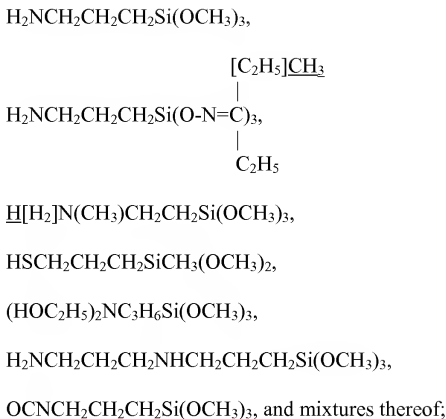
In the specification at page 11, line 27, after "cation" insert --- and mixtures thereof--

Amend claims 29, 37, 51 and 52 as follows:

Claim 29. (Currently Amended) A method of using a cosmetic article comprising:

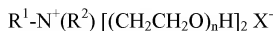
(a) providing a cosmetic article containing a cosmetic composition which cosmetic composition contains in a dispensable form an aqueous dispersion of at least one polyurethane-urea polymer that is functionalized with at least one silyl containing component selected from the group consisting of:





- (b) applying said cosmetic article to a person's skin or nails; and
- (c) forming a film.

Claim 37. (Withdrawn, Currently amended) The method of use claim 52, wherein said hydrophilic component is a cationic compound having the following structure:



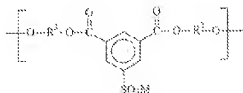
wherein  $\text{R}^{[1]}$  is  $\text{C}_1$  to  $\text{C}_{18}$  alkyl or  $\text{C}_6$  to  $\text{C}_{18}$  aryl or aralkyl optionally substituted in and/or on the chain by N, O, S and combinations thereof;

$\text{R}^2$  is hydrogen or  $\text{C}_1$  to  $\text{C}_{18}$  alkyl;

n is an integer from about 1 to 200; and

X is halogen, sulfate, methosulfate, ethosulfate, acetate, carbonate, or phosphate.

Claim 51. (Currently Amended) The method of use of claim [52]54, wherein said hydrophilic component comprises



wherein each R<sup>3</sup> is independently a divalent aliphatic group having an average molecular weight of 200 to 600 comprising ether or ester functional groups selected from the group consisting of: -CH<sub>2</sub>CH<sub>2</sub>-(OCH<sub>2</sub>CH<sub>2</sub>-)<sub>n</sub>-, -CH(CH<sub>3</sub>)CH<sub>2</sub>-(OCH(CH<sub>3</sub>)CH<sub>2</sub>-)<sub>n</sub>-, -(CH<sub>2</sub>)<sub>4</sub>-(O(CH<sub>2</sub>)<sub>4</sub>)<sub>n</sub>-, -(CH<sub>2</sub>)<sub>m</sub>CO-[O(CH<sub>2</sub>)<sub>m</sub>CO]<sub>n</sub> - groups, and mixtures thereof, where m is an integer, from about 2 to 5 and n is an integer from about 2 to 15, and

M is a cation selected from the group consisting of Na, H, K, Li, primary, secondary, tertiary, quaternary ammonium cation and mixtures thereof.

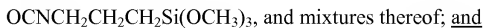
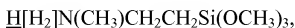
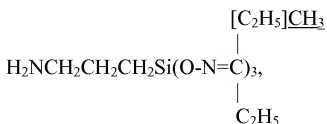
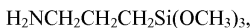
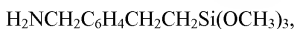
Claim 52. (Currently amended) A method of using a cosmetic article comprising:

(a) providing a cosmetic article containing a cosmetic composition which cosmetic composition contains in a dispensable form an aqueous dispersion and a reaction product of

- (i) at least one isocyanate terminated polyurethane-urea prepolymer derived from the reaction of at least one polyisocyanate and at least one polyol,
- (ii) at least one polyfunctional chain extender,

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(iii) at least one silyl containing component selected from the group consisting of



(iv) at least one hydrophilic component comprising at least one of an ionic group, a moiety capable of forming an ionic group, and a nonionic water soluble group;

(b) applying said cosmetic article to a person's skin or nails; and

(c) forming a film.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLESSING M. FUBARA whose telephone number is (571)272-0594. The examiner can normally be reached on Monday to Thursday from 7 a.m. to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Blessing M. Fubara/  
Primary Examiner, Art Unit 1618